

## NOTICE OF FILING

This document was lodged electronically in the FEDERAL COURT OF AUSTRALIA (FCA) on 6/08/2018 4:03:23 PM AEST and has been accepted for filing under the Court's Rules. Details of filing follow and important additional information about these are set out below.

### Details of Filing

Document Lodged: Affidavit - Form 59 - Rule 29.02(1)  
File Number: NSD2179/2017  
File Title: GEOFFREY ROY RUSH v NATIONWIDE NEWS PTY LIMITED &  
ANOR  
Registry: NEW SOUTH WALES REGISTRY - FEDERAL COURT OF  
AUSTRALIA



*Warwick Soden*

Dated: 6/08/2018 4:03:28 PM AEST

Registrar

### Important Information

As required by the Court's Rules, this Notice has been inserted as the first page of the document which has been accepted for electronic filing. It is now taken to be part of that document for the purposes of the proceeding in the Court and contains important information for all parties to that proceeding. It must be included in the document served on each of those parties.

The date and time of lodgment also shown above are the date and time that the document was received by the Court. Under the Court's Rules the date of filing of the document is the day it was lodged (if that is a business day for the Registry which accepts it and the document was received by 4.30 pm local time at that Registry) or otherwise the next working day for that Registry.



Form 59  
Rule 29.02

### Affidavit

No. NSD2179 of 2017

Federal Court of Australia  
District Registry: New South Wales  
Division: General

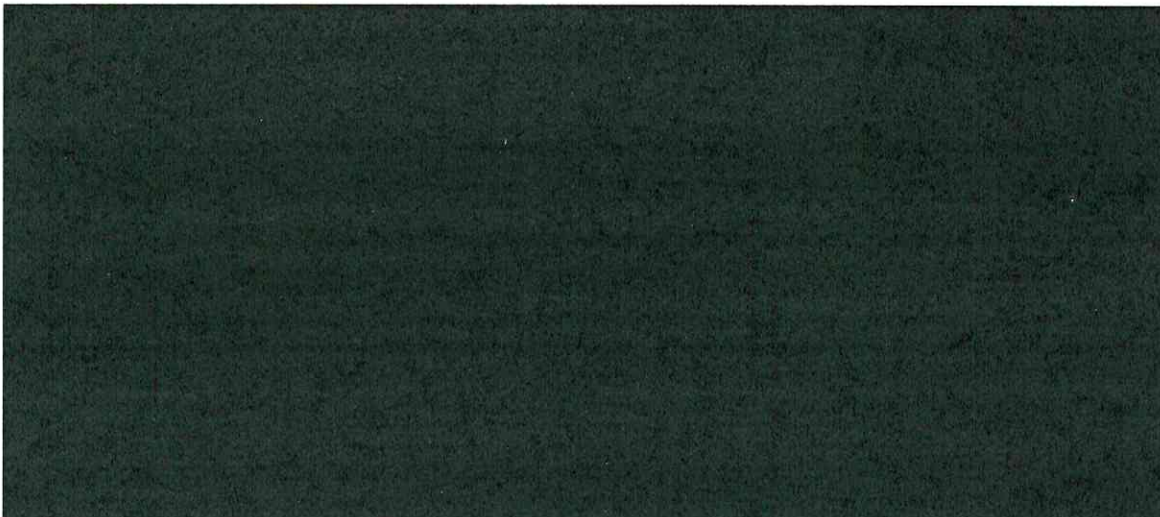
#### Geoffrey Roy Rush

Applicant

**Nationwide News Pty Limited** and another  
Respondents

Affidavit of: **Marlia Ruth Saunders**  
Address: 2 Holt Street, Surry Hills, New South Wales  
Occupation: Solicitor  
Date: 6 August 2018

#### Contents



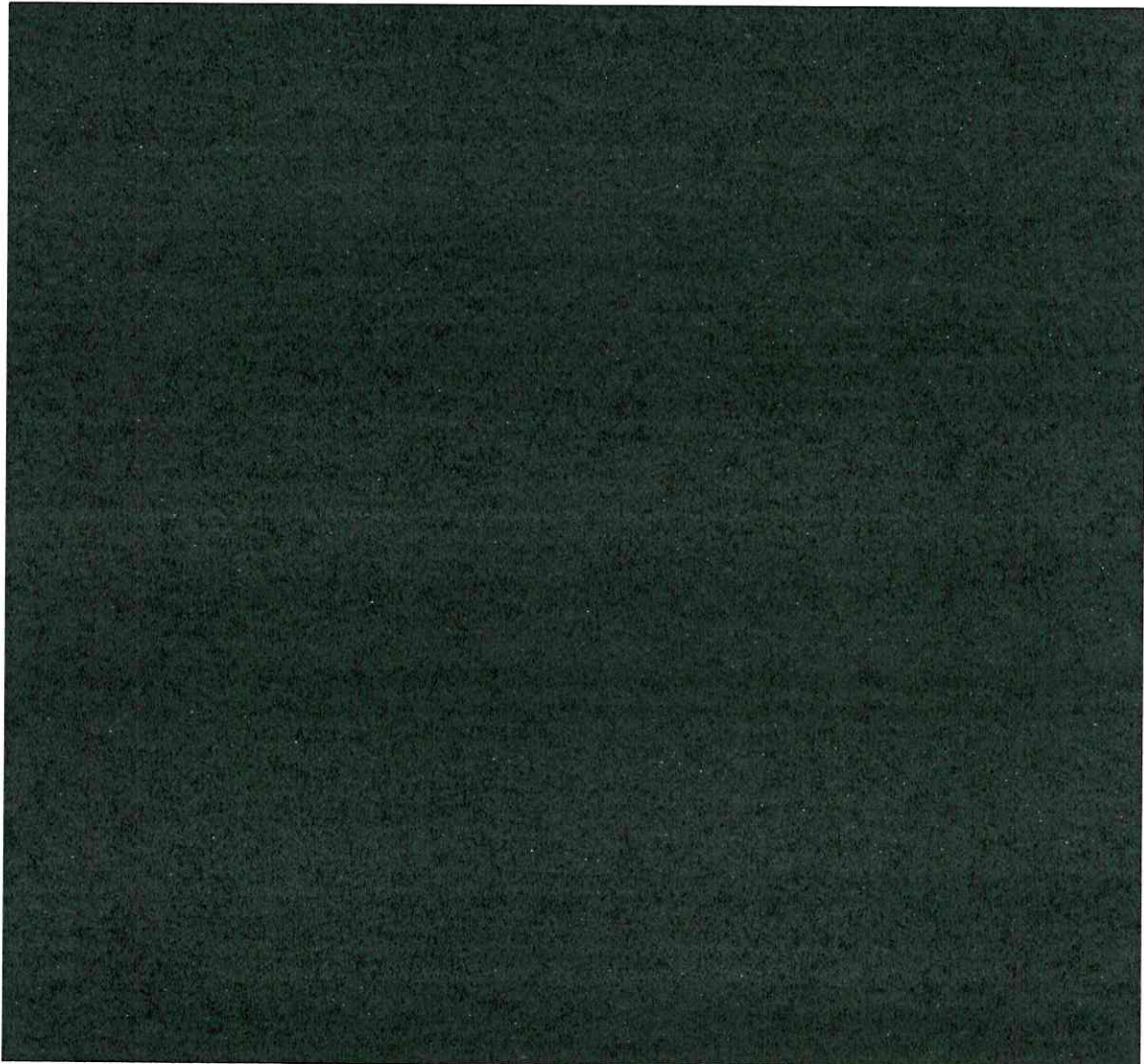
Filed on behalf of (name & role of party)	Nationwide News Pty Limited and Jonathon Moran, Respondents		
Prepared by (name of person/lawyer)	Robert James Todd		
Law firm (if applicable)	Ashurst Australia		
Tel (02) 9258 6000		Fax	(02) 9258 6999
Email	robert.todd@ashurst.com		
<b>Address for service</b> (include state and postcode)	Level 9, 5 Martin Place, Sydney, NSW, 2000 DX 388 Sydney		

251986803

[Version 2 form approved 09/05/2013]

I Marlia Ruth Saunders, 2 Holt Street, Surry Hills, solicitor affirm:

1. I am a legal practitioner and the Senior Litigation Counsel of the First Respondent. I am authorised to make this affidavit on behalf of the Respondents. This is the second affidavit I have affirmed in support of the Respondents' Interlocutory Application dated 31 July 2018.

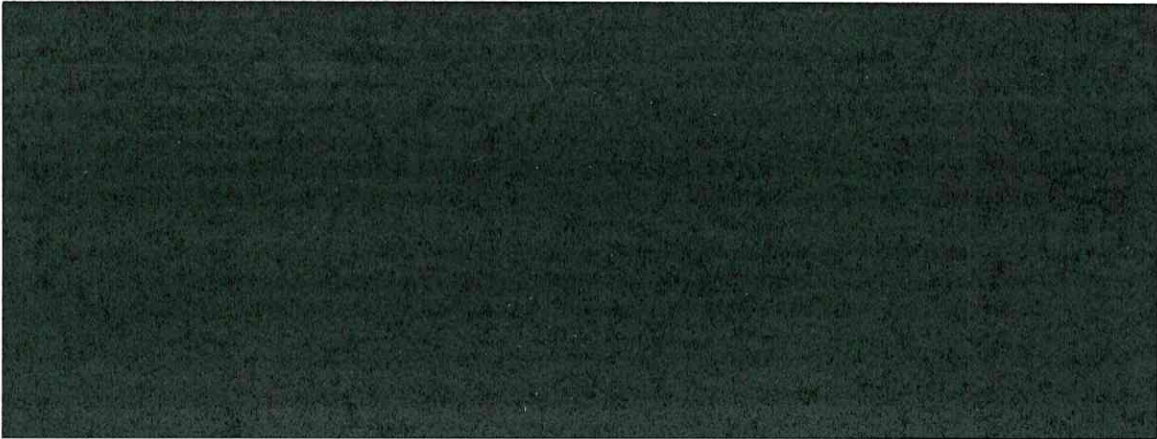


9. The Respondents estimate that a hearing involving defences of both justification and qualified privilege will take in excess of 13 days. In order to ensure the hearing can be concluded within 13 hearing days, I am instructed that the Respondents are prepared to withdraw their defence of qualified privilege in the event that their application to amend to plead justification is granted.



A handwritten signature in black ink, appearing to read 'Marlia Ruth Saunders', is located at the bottom left of the page.

A second handwritten signature in black ink is located at the bottom right of the page, to the right of the first signature.



Affirmed by the deponent  
at 2 Holt Street, Surry Hills  
in New South Wales  
on 6 August 2018  
Before me:

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)

  
\_\_\_\_\_  
Signature of deponent



\_\_\_\_\_  
Signature of witness

Stephen Coombs  
Solicitor  
c/- 2 Holt Street  
Surry Hills NSW